BEFORE THE

FEDERAL COMMUNICATIONS COMMISSION ECEIVED

WASHINGTON, D.C.

NOV 1 9 1998

| In the Matter of |) OFFICE OF THE SECRETARY |
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| Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. |) MM Docket No) RM) |
| Medina, North Dakota |)) |

To: Chief, Allocations Branch, Mass Media Bureau

PETITION FOR RULE MAKING

High Plains Broadcasting, Inc. ("HPBI"), by its attorneys and pursuant to Section 1.401 of the Commission's Rules, respectfully requests that the Commission institute a rule making proceeding to allot Channel 222C to Medina, North Dakota.

As set forth in the attached Technical Exhibit, which is incorporated by reference herein, this proposal will serve the public interest. The allotment of Channel 222C to Medina, North Dakota, will provide that community with its first local aural transmission service. Medina, a census designated city of 387 persons, see 1990 Census of Population and Housing, North Dakota at 40 (1993), is located 29 miles west of Jamestown. The community, which elects its own mayor and city council and has its own zip code and post office (58467), also is the site of the Medina Public School and maintains the Medina Fire Department, which serves Medina as well as nearby areas. Commercially, Medina has a number of business enterprises, including Medina Exchange Bank of Steele, Medina Beauty Salon, Medina Farmers Union Grain Company and the Farmers Union Oil Co-op, Medina Plumbing and Heating, and Medina's Cozy Corners Motel. Medina also has a health clinic. At least three religious denominations maintain buildings and services in Medina, including the English

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Lutheran Church, the United Church of Christ, and the United Methodist Church. In addition, Medina has its own social organizations, including an American Legion group, a Sportsman Club, a Lions Club, a Farmers of America chapter, and a 4-H Club. Under Commission precedent, the presence of these civic, business, religious and social indicia demonstrate that Medina is a community deserving of its own aural transmission service. See, e.g., Report and Order (Hannahs Mill, Milledgeville and Perry, Georgia), 6 FCC Rcd 3753 at ¶ 9 (1991). That the local phone book has a section entitled Medina confirms this result. See attached.

The above proposal would enable Medina to obtain its own FM broadcast service and would provide a means of entertainment and information for its residents. If the above proposal is approved, it is HPBI's intention to apply for the above allotment promptly and, once granted, to implement construction as quickly as possible.

Accordingly, it is respectfully requested that the Commission issue a Notice of Proposed Rule Making as herein requested and thereafter adopt such a proposal.

Respectfully submitted,

HIGH PLAINS BROADCASTING, INC.

By: J. M. L. Beau

F. William LeBeau

HOGAN & HARTSON L.L.P. 555 Thirteenth Street, N.W. Washington, DC 20004-1109 (202) 637-5706

Its Attorneys

November 19, 1998

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Finally, Local Service and Long Distance from one company see page 2

And Surrounding Badlands Area Directory

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Golden Valley

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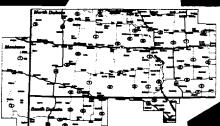
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TECHNICAL EXHIBIT
IN SUPPORT OF A
PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
MEDINA, NORTH DAKOTA

Technical Narrative

This technical narrative and associated exhibits have been prepared in support of a Petition for Rule Making to amend Section 73.202(b) by the allotment of channel 222C (92.3 MHz) to Medina, North Dakota.

Proposed Change in Table of Allotments

It is requested that Section 73.202(b) be amended by the allotment of channel 222C to Medina, North Dakota. Medina is located in Stutsman County, North Dakota and has a 1990 U.S. Census population of 387 persons. Medina has no local FM stations and no local AM stations. Therefore, Petitioner's proposal would be a first local FM broadcast service and first local aural broadcast service to Medina. The proposed changes are as follows:

| City | Present | Proposed |
|----------------------|---------|----------|
| Medina, North Dakota | | 222C |

The proposed channel 222C reference point is located 231 km from the nearest point of the U.S.-Canadian border; therefore, coordination with Canada may be necessary.

Page 2 Medina, North Dakota

Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to use of channel 222C at Medina. As shown, the reference coordinates comply with the Commission's minimum distance separation requirements contained in Section 73.207 with respect to all existing, authorized and proposed stations and allotments.

Figure 2 is a map showing the area to locate channel 222C at Medina in compliance with the Commission's minimum distance separation requirements and city coverage requirements based on minimum Class C facilities (ERP 100 kW/HAAT 300 m). The Medina city limits shown on Figure 2 were obtained from a map contained in the 1990 U.S. Census of Population.

Conclusion

Channel 222C can be allotted to Medina, North Dakota in compliance with all applicable Commission Rules.

W. Jeffrey Reynolds

du Treil, Lundin & Rackley, Inc. 240 North Washington Blvd. Suite 700 Sarasota, Florida 34236

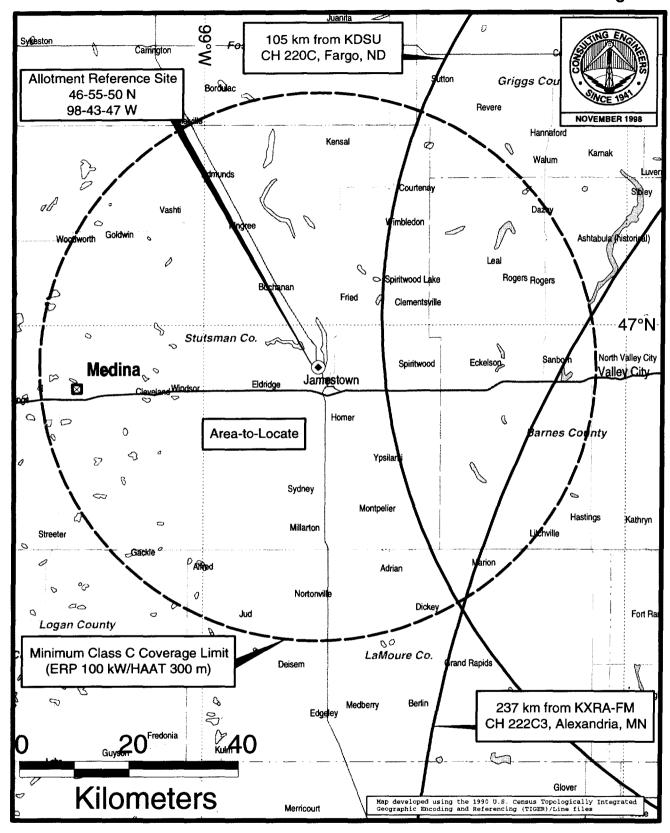
November 9, 1998

TECHNICAL EXHIBIT IN SUPPORT OF A PETITION FOR RULE MAKING TO AMEND THE FM TABLE OF ALLOTMENTS MEDINA, NORTH DAKOTA

FM SEPARATION STUDY

| Job Tit Channel | le :Proposed Medina, 222C (92.3 MHz) | ND | | Sep F Coordinates | aration CC DB Da : 46-55 | Buffer ate : 11 5-50 98 | 50 km /07/98 -43-47 |
|--------------------|--|------------------|--------------------|-------------------------|--------------------------------|-------------------------------|---------------------------|
| Call Status | City State FCC File No. | Channel Freq. | ERP(kW) HAAT(m) | Latitude Longitude | Bearing deg-Tru | Dist. | Req. |
| LIC | Lakota ND BLFT861124TB ATOR FOR KFJMFM, GRA | 91.7 | 55.0 | 48-02-30 98-20-33 | | | |
| KDSU LIC | Fargo ND BLED820621AB | | | | | 117.27 12.27 | |
| LIC | Harvey ND BLFT960319TG ator for KMPR, Minot | 91.9 | | 47-46-18 99-55-59 | | | 0 TRANS |
| | Madison MN BLH980706KB | | | | | | |
| CP | Beulah ND BPFT961125TC ator for KSLT, Spear | 92.3 | 138.0 | 47-18-23 101-43-35 | | | 0 TRANS |
| APP | Beulah ND BMPFT970821TH ator for KSLT, Spear | 92.3 | 137.0 | | | | 0 TRANS |
| | Alexandria MN BLH900918KB | | | 45-55-55 95-26-42 | | 275.79 38.79 | 237 CLEAR |
| CPM From Cl | Park Rapids MN BMPH980413IC hannel 223A-One-Step accepted on 931014 | 92.5 | 100.0 | | | | |
| KPHT I | Kindred ND BLH930708KB | | | 46-39-38 96-43-01 | | 156.59 60.59 | |
| KYYY LIC | Bismarck ND BMLH870624KC | 225C 92.9 | | 46-36-19 100-48-30 | | 162.85 57.85 | |

^{**} End of separation study for channel 222C **



CHANNEL 222C

MEDINA, NORTH DAKOTA du Treil, Lundin & Rackley, Inc., Sarasota, Florida

DECLARATION OF MICHAEL HALL

- I, Michael Hall, declare as follows:
- I am President of High Plains Broadcasting, Inc. ("HPBI").
- 2. HPBI intends to apply for a construction permit for the channel requested in the attached Petition upon adoption of the proposed rule making.
- 3. If awarded the construction permit, HPBI will promptly construct and operate such facilities.

I hereby declare under penalty of perjury that the statements made in this declaration are true and accurate to the best of my knowledge, information and belief.

Michael Hall

Executed this __/81^h day of November, 1998.